

Applicant: Y. Okada, et al.
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Response to Office Action
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REMARKS

Applicants appreciate the Examiner's thorough examination of the subject application and request reconsideration of the subject application based on the foregoing amendments and the following remarks.

Claims 1-17 are pending in the subject application. Claims 12-17 are acknowledged as being allowable by the Examiner. Claims 18-23 were previously canceled.

Claims 1, 2, 4 and 7-11 stand rejected under 35 U.S.C. §102 and/ or 35 U.S.C. §103.

Claims 3 and 5-6 were objected to as depending from a rejected base claim; however, the Examiner indicated that the claims would be allowable if appropriately re-written in independent form.

Claim 3 was canceled in the instant amendment without prejudice and the limitations thereof were added to claim 1.

Claim 4 was canceled.

Claim 5 was written in independent form as suggested by the Examiner.

Claim 24 was added to claim embodiments/ aspects of the present invention.

The amendments to the claims are supported by the originally filed disclosure.

The cross-noting paragraph inserted before line 1 on page 1 in the Preliminary Amendment is being amended in the foregoing amendment to provide the US patent number corresponding to the granted parent application.

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35 U.S.C. §102 REJECTIONS

The Examiner rejected claims 1, 2, 4 and 7 under 35 U.S.C. §102(e) as being anticipated by Choi [USP 6,6781,658; “Choi”]. Applicants respectfully traverse as discussed below.

As indicated above, claim 4 was canceled as such Applicants have not addressed the within rejection further as to this claim.

As indicated above, claim 1 was amended so as to include the limitations of canceled claim 3. As also indicated in the above-referenced Office Action, claim 3 would be allowable if appropriately re-written in independent form so as to include the limitations of the base claim, claim 1, there being no intervening claims. As such, in view of the foregoing amendment to claim 1, Applicants submit that claim 1 is in a condition for allowance.

Each of claims 2 and 7 depend from claim 1. Thus, each of claims 2 and 7 are considered to be in allowable form at least because each depends from an allowable base claim.

It is respectfully submitted that for the foregoing reasons, claims 1, 2 and 7 are patentable over the cited reference and thus, satisfy the requirements of 35 U.S.C. §102(e). As such, these claims, including the claims dependent therefrom are allowable.

35 U.S.C. §103 REJECTIONS

Claims 8-11 stand rejected under 35 U.S.C. §103 as being unpatentable over Choi et al. [USP 6,781,658; “Choi”]. Applicants respectfully traverse as discussed below.

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Each of claims 8-11 depends directly or indirectly from claim 1. As indicated herein, claim 1 was amended so as to include the limitations of canceled claim 3 and as such. As also indicated herein the above-referenced Office Action, claim 3 would be allowable if appropriately re-written in independent form so as to include the limitations of the base claim, claim 1; there being no intervening claims. As such, claim 1 is in a condition for allowance. Thus, each of claims 8-11 are considered to be in allowable form at least because each depends from an allowable base claim.

It is respectfully submitted that for the foregoing reasons, claims 8-11 are patentable over the cited reference and thus, satisfy the requirements of 35 U.S.C. §103. As such, these claims are allowable.

CLAIMS 3 & 5-6

In the above-referenced Office Action, claims 3 and 5-6 were objected to as being dependent upon a rejected base claim. It also was provided in the above-referenced Office Action, however, that these claims would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claim(s).

Claim 3 was not expressly re-written in independent form as suggested by the Examiner, rather claim 3 was canceled and the limitations thereof were added to the related base claim, claim 1. Accordingly, claim 1 as amended is considered to be in allowable form.

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Claim 5 was re-written in the foregoing amendment so as to be in independent form and to include all the limitations of the base claim and the intervening claim(s). Accordingly, claim 5 is considered to be in allowable form.

As to claim 6, this claim was not re-written in independent form as suggested by the Examiner. Applicants however, reserve the right to later amend the subject application so as to present this claim in independent form or to an independent claim that contain the limitations of this claim.

CLAIM 24

As indicated above, claim 24 was added to more distinctly claim embodiments of the present invention. This claim is supported by the originally filed disclosure, including the originally filed claims and with particular reference to the discussion for the second embodiment, and in particular page 28 and Figs. 4 and 18 of the subject application. It also is respectfully submitted that these added claims are patentable over the cited prior art on which the above-described rejection(s) are based.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Applicants believe that additional fees are not required for consideration of the within Response. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed

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for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit
Account No. **04-1105**.

Respectfully submitted,
Edwards & Angell, LLP

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By:

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